

OCT 14 2014

IN THE UNITED STATES DISTRICT COURT

Clerk, U.S. District Court
District Of Montana
Great Falls

FOR THE DISTRICT OF MONTANA

~~XXXXXXXXXX~~

GREAT FALLS

DIVISION

(You must fill in this blank. See Instruction 7)

Mike Kurt Chilinski #3010955
(Full name of Plaintiff and prisoner number, if any)

Plaintiff,

VS.

COMPLAINT

The Humane Society of the United States, its Agents Adam Parascandola, Wendy Hergenraeder, and doe agents, The Lewis and Clark Humane Society, Gina Wiest director and doe agents and volunteers, The Jefferson county sheriffs Dept, Craig Doolittle, Chad McFadden, Dean Hildebrand and doe "agents" and volunteers, the Jefferson County Attorneys office and doe agents including Mathew J Johnson, Hon Loren Tucker Hon Dennis Guilo, The Helena Independent Record and Doe agents, The Animal Center Edward Newman and 3 unnamed Veterinarians.
et all.

Jury Trial Demanded ☒

Jury Trial Not Demanded ☐

INSTRUCTIONS

1. Use this form to file a civil complaint with the United States District Court for the District of Montana. Include only counts/causes of action and facts – not legal arguments or citations. You may attach additional pages where necessary. Your complaint must be typed or legibly handwritten in ink and on white paper. Write on only one side of the paper. Do not use highlighters and do not staple or otherwise bind your papers. All pleadings and other papers submitted for filing must be on 8 1/2" x 11" paper (letter size). You must sign the complaint (see page 8). Your signature need not be notarized but it must be an original and not a copy. The Clerk's Office cannot provide you copies of documents in your file without prepayment of \$0.10 per page (for documents electronically available) or \$0.50 (for documents not electronically available). Please keep a copy of the documents you send to the Court.
2. The filing fee for a complaint is \$350.00. This amount is set by Congress and cannot be changed by the Court. If you pay the filing fee, you will be responsible for serving the complaint on each defendant and any costs associated with such service.

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3. If you are unable to prepay the entire filing fee and service costs for this action, you may file a motion to proceed in forma pauperis. If you are a prisoner and your motion to proceed in forma pauperis is granted, the Court will assess an initial partial filing fee equal to 20% of the average monthly deposits to your prison account for the six months immediately preceding the filing of the action, or 20% of the average monthly balance in your prison account for the same six month period, whichever is greater. Thereafter, the balance of the filing fee will be collected in installments equal to 20% of your preceding month's income any time the amount in your account exceeds \$10.00. You will be required to continue making these payments even if your complaint is dismissed.
4. Complaints submitted by persons proceeding in forma pauperis and complaints submitted by prisoners suing a governmental entity or employee must be reviewed by the Court before the defendants are required to answer. See 28 U.S.C. §§ 1915(e)(2), 1915A(a); 42 U.S.C. § 1997e(c). The Court will dismiss your complaint before it is served on the defendants if: (1) your allegation of poverty is untrue; (2) the action is frivolous or malicious; (3) your complaint does not state a claim upon which relief may be granted; or (4) you sue a defendant for money damages and that defendant is immune from liability for money damages. After the Court completes the review process, you will receive an Order explaining the findings and any further action you may or must take. The review process may take a few months; each case receives the judge's individual attention. Plaintiffs should not serve defendants, pursue discovery, or request entry of default judgment prior to the completion of this review process.
5. Prisoners who have had three or more cases dismissed as frivolous, malicious, or failing to state a claim upon which relief may be granted (strikes) will not be permitted to file any further civil actions without prepaying the filing fee unless they are in imminent danger of serious harm. See 28 U.S.C. § 1915(g).
6. Prisoners may not maintain more than two civil actions in forma pauperis at one time, unless the prisoner shows that he or she is under imminent danger of serious physical injury.
7. The case caption (page 1 of this form) must indicate the proper Division for filing. The proper Division is where the alleged wrong(s) occurred. When you have completed your complaint, mail the *original* of your complaint and either the full filing fee or your motion to proceed in forma pauperis to the proper Division:

Billings Division: *Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Garfield, Golden Valley, McCone, Musselshell, Park, Petroleum, Powder River, Prairie, Richland, Rosebud, Stillwater, Sweetgrass, Treasure, Wheatland, Wibaux, and Yellowstone Counties*

**U.S. District Court Clerk, James F. Battin Courthouse,
2601 2nd Avenue North, Suite 1200, Billings, MT 59101**

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Butte Division: *Beaverhead, Deer Lodge, Gallatin, Madison, and Silver Bow Counties*
U.S. District Court Clerk, Mike Mansfield Courthouse, 400 N. Main,
Butte, MT 59701

Great Falls Division: *Blaine, Cascade, Chouteau, Daniels, Fergus, Glacier, Hill, Judith Basin, Liberty, Phillips, Pondera, Roosevelt, Sheridan, Teton, Toole, and Valley Counties (Crossroads Correctional Center is located in Toole County and all claims arising at CCC should be filed in Great Falls)*
U.S. District Court Clerk, Missouri River Courthouse, 125 Central Ave. West,
Great Falls, MT 59404

Helena Division: *Broadwater, Jefferson, Lewis & Clark, Meagher, and Powell Counties (Montana State Prison is located in Powell County and all claims arising at MSP should be filed in Helena)*
U.S. District Court Clerk, Paul G. Hatfield Courthouse, 901 Front St., Ste 2100,
Helena, MT 59626

Missoula Division: *Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Ravalli, and Sanders Counties*
U.S. District Court Clerk, Russell Smith Courthouse, P.O. Box 8537,
Missoula, MT 59807

COMPLAINT

I. PLACE OF CONFINEMENT

A. Are you incarcerated? Yes ☒ No ☐ (if No, go to Part II)

B. If yes, where are you currently incarcerated? Crossroads Correctional Center
50 Crossroads Drive
Shelby, Montana 59474
Montana State Regional Prison, 3800 Montana Highway Road, Great Falls,
Montana 59638

C. If any of the incidents giving rise to your complaint occurred in a different facility, list that facility:

N/A, not suit about facility but prior to incarceration actions.

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II. JURISDICTION

Jurisdiction is asserted under (CHECK ANY THAT APPLY):

☒ 28 U.S.C. § 1331 because it raises a civil rights claim against a state or local government employee or entity under 42 U.S.C. § 1983 *also 1985*

☐ 28 U.S.C. § 1331 because it raises a claim against a federal employee under *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971)

☐ 28 U.S.C. § 1332 (diversity) because all the defendants live in a different state than plaintiff

If you wish to assert jurisdiction claim under different statutes, list them below.

28 U.S.C. 636, Venue is proper 28 U.S.C. 1391,

28 U.S.C. 1332 Amount in controversy, 28 U.S.C. 1334 Civil Rights

28 U.S.C. §§ 1441.

III. EXHAUSTION OF ADMINISTRATIVE REMEDIES

A. Non-Prisoners

1. Does any cause of action alleged in this complaint require you to exhaust administrative remedies before filing in court? Yes ☐ No ☐ Don't Know ☒

2. If yes, have you exhausted your administrative remedies? Yes ☐ No ☒
filed complaint against Judge Judicial Standards Comm, and prosecutor, ODC

B. Prisoners (If other institutions listed in I(C) above, answer for each institution).

1. Did you fully exhaust the administrative grievance process within the jail or prison where the incidents at issue occurred? Yes ☒ No ☐

2. If you did not fully exhaust the grievance process, explain why:

N/A not a suit of prison conditions or conduct but from earlier State and civilian under the color of law actions

(NOTE: Prisoners must exhaust their jail/prison's grievance process. Proper exhaustion requires compliance with the jail/prison's grievance deadlines and procedural rules.)

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IV. PARTIES TO CURRENT LAWSUIT

A. Plaintiff MIKE KURT CHILINSKI is a citizen of Montana,
(State)
Crossroads Correctional Center, 50 Crossroads Drive
presently residing at ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX8800EIMXNXXFRONTAGE ROAD~~
(Mailing address or place of confinement) Shelby, Mt 59474
~~XXXXXXXXXXXXXXXXXXXXXX~~

B. Defendant Craig Doolittle is a citizen of Montana,
(State)
employed as Jefferson County Sheriff, Jefferson County Sheriffs Office
(Position and Title, if any) (Institution/Organization)

Defendant Wendy Hergenreader is a citizen of Montana?,
(State)
employed as Agent for Montana at Humane Society of the United States
(Position and Title, if any) (Institution/Organization)

Defendant Adam Paracandola is a citizen of Deleware,
(State)
employed as Agent "director"? at Humane Society of the United States
(Position and Title, if any) (Institution/Organization)

Defendant Doe agents unknown ~~is~~ a citizen of Montana, Illinois, Other states
(State)

employed as "agents and volunteers" Humane Society of the United States
(Position and Title, if any) (Institution/Organization)

Defendant Doe agents and Volunteers is a citizen of Montana, poss other states
(State)
employed as unknown, but partially by Lewis And Clark Humane Society
(Position and Title, if any) (Institution/Organization)

Defendant Edward Newman is a citizen of Montana,
(State)
employed as Veternarian/owner at The Animal Clinic.
(Position and Title, if any) (Institution/Organization)

(NOTE: If more space is needed to furnish the above information, continue on a blank sheet labeled "APPENDIX A: PARTIES").

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APPENDIX A PARTIES

Defendent Chad McFadden is a citizen of Montana
employed as police deputy at Jefferson County Sheriffs Dept.

Defendant Mathew J. Johnson is a citizen of Montana
employed as Jefferson County Attourney at Jefferson County Attorneys offic

Defendant Hon Loren Tucker is a citizen of Montana
employed as 5th circuit court Judge , for the state of Montana

Defendant Hon DennisGuilio is a citizen of Montana
employed as Jefferson County Justice of the piece and City Judge

Defendant Dean Hildebrand is a citizen of Montana
Employed as a deputy in the Jefferson County police Dept

Defendants of unknown number and title named as "Volunteers"
acting as agents of both the humane societies and the County Sheriffs dept.

Defendant "The Helena Independent Record" is a corporation in Montana
Doing business as a daily newspaper in Helena Montana

The Jefferson CountyAttorneys office is a agency of Montana
Acting in privity/contract with the Lewis and Clark humane Society
On commercial lease for the warehouse and greenhouse staging of Plaintiffs
Dogs, located in Jefferson County Courthouse.

Defendants "3 veterernarians" to be named are citizens of Montana
employed by "The Animal center" and or "Spay Montana" and are agents
enlisted in the search seizure, collection and dissimination of
Confidential Criminal Justice Information by or in privity to the
Lewis and Clark Humane society and or Jefferson County Attorney or
Jefferson County police department.

The Animal Center" is a montana business owned atleast in part with
Dr. Ed Newman doing business mostly in Helena, Montana.

The Jefferson County Commisioneers are elected representitives
of Jefferson County Entitled to supervise all County Officers

The Alaskan Malamute Club of America is a corporation , which defamed and allowed representatives to assist in Criminal proceedings against charter a corporation of yet unknown location.

Robert Sullivan is a citizen of Alaska, acting as a agent for the Alaskan Malamute club. Acting in the criminal investigation, seizure All agents not previously mentioned listed and unlisted on accompanying two pages, page 1 (Volunteer), and page 2

VOLUNTEER

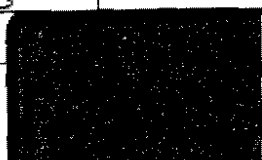
(Sign-in Sheet)

Case:

Date:

Name (print)	SS#	DOB	Total # of Hours	Task
SANDY NEWTON				PHOTOGRAPHER
Penny Tushingham				TRANSPORT VET WWS
GREG LOVREN				driver
CHRISTINE MINATELLI				VET
Jessica McAlpin				DOG HANDLER
Robyn McMillan				TRANSPORT
Samantha Wiest				Impound
HINDRA SIMMONS				"
Kiara McQuay				Handler
Jillian Dougherty				Handler
Owen Morgan				TRCA
TANNER MORGAN				music
Christine Stipich				Veterinarian
Lina Wiest				Handler
Officer Jennie Robinson				Handler
Liz Harrison				A.C.O.
Susan Gerke				lewis Clark Humane
Sharon Horden				A.C.O.
Wendy Bergerbraeder				volunteer RCHS
Kathy Milani				on scene HSUS
Ashley Mancini				on scene HSUS
Frank Loftis				" "
Lisa Kauffman				on scene HSUS
Kelcey Deaton				on scene HSUS
Helen Siderits				handler
Melissa Szumlanski				cage cont. Cootie
Lynnae Inema				on scene HSUS
Debi Beardstee				Handler
Adam Parnowski				Handler
				HSUS

PPD
C



ROSTER

Case:

Date:

	Name (print)	Department/Agency/task
1	Susan Ceeke	LCSO aco
2	Jillian Dougherty	Veterinarian
3	Greg Lopez	VET
4	Adam Parascandola	HSUS
5	Frank Lottus	HSUS
6	NISA KAUFFMAN	HSUS
7	Kathy Milani	HSUS
8	Liz Harrison	LCHS
9	Gina Wiest	LCHS
10	David Kosola	JCSO
11	Matt Johnson	JCCA's office
12	Kellie Doherly	JCCA's office
13	Cathy Worliffe	JCSO
14	Chad McFadden	JCSO
15	Ashley Maguercu	HSUS
16	Mike Johnson	JCSO
17	Kirsty Anderson	JCSO
18	FRANCINE JANIK	JCSO
19	Keller Dalton	LCHS
20	Samantha Wiest	LCHS
21	Christine Stipich	LCHS
22	TANNER MORGAN	LCHS
23	Wendy Hengenreder	HSUS
24	Tom Lythgoe	Jeff Co Commissioner
25		
26		
27		
28		
29		
30		
31		
32		

V. STATEMENT OF CLAIMS

A. Count I (State your cause of action, e.g., what constitutional rights have been violated): 4th amendment right to be free from unreasonable searches

5th Amendment right to substantive Due Process and the takings Clause of the 5th Amendment, 6th Amendment right to a fair trial and impartial Judge, 14th Amendment right to equal protection, Fundimential right to own property, contract for services, State constitutional right thru absention. Date of incident(s):

Multiple incidents, ongoing to October 2012, early searches approx July, sept 2011, search and seizure October 12, 2011

1. Supporting Facts: (Include all facts you consider important, including names of persons involved, places, and dates. Describe what happened without citing legal arguments, cases, or statutes).

Fundimentially, My Claim is from the use of 3rd party individuals with activity's that are fundimentially reserved to law enforcement, to enable virtually unbridled the Humane Society of the United States to interject itself in all 3 areas of government without any of the checks and balances of law enforcement or judicial fairness, essentially making itself a agent of the government and prosecutor, judge, and jury of individuals it targets violation the doctrines of non-delegation, Due process, statutory law and a host of torts. To explain the supporting facts I must first delve into some history, but the suit has to be deliniated into 4 groups of people 1st group, The police department of Jefferson County, Which, like all agencies have rules of conduct and delegation of their constitutional authority, I list the principle agents involved to the best of my knowledge

2. Defendants Involved: (List the name of each defendant involved in this claim and specifically describe what each defendant did or did not do to allegedly cause your injury).

The Jefferson County Sheriffs Deptartment, Via Sheriff Craig Doolittle Contacted the Humane Society of the United States for advice of if and How the cöold assist in a criminal investigation after he conducted a Search of my Kennel I approved to show that no animal cruelty was taking Place. In violation of Montana's Strict fundimential right to privacy and Montana Criminial justice information act of 1979, This became a relation-ship that the two parties colluded together as if they were one agency...

(NOTE: For each additional claim, use a blank sheet labeled "APPENDIX B. STATEMENT OF CLAIMS." You must set forth two paragraphs for each count, one consisting of Supporting Facts (following the directions under V(A)(1)), and one consisting of Defendants Involved (following the directions under V(A)(2)).

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VI. INJURY

Describe the injuries you suffered as a result of each individual defendant's actions. (Do not cite legal arguments, cases, or statutes).

I suffered the injuries of a illegal taking of my property and companions Without due process or compensation, a loss of all my income and potential For income,a loss of my "life" as in my reputation, respect in the world and world and local community, my family,My belongings, and possibly my Home as well as being incarcerated. The punishment of xxxxxxxx the stress and fear of invasion, The emotional and physical pain Justice system is that xxxxxxxx independent and sovereign from both the and suffering from the unwarranted videos destroyed my privacy and dignity executive and legislative branches as well as from private interests and my lifelong passion for breeding some of the best alaskan malamutes Producers are to be made by the state in the name of the state and in the world, the killing of many of my dogs will haunt me for the Not by victims of witnesses or special interests rest of my life (NOTE: If more space is needed to furnish the above information, continue on a blank sheet labeled "APPENDIX C: INJURY").

VII. REQUEST FOR RELIEF

Describe the relief you request. (Do not cite legal arguments, cases, or statutes).

1. 500,000.00 In direct damages
2. 2,000,000.00 in compensatory and future damages.
- 3.20,000,000.00 in punitive damages
4. Court costs and attorney fee's
5. apology, and agreement for the disbanding of the Humane Society of the United states Animal rescue unit. Or in alternative the removal of their Non-profit status., and change of name not to be associated with United states government.
6. Any other relief the court deems appropriate, including relief for personal injury and intentional affliction of emotional distress, trespass, and other torts , treble damages of value of animals and direct and indirect losses of property, real and personal., including rents and losses from conversion of property and placement of sold animals.

(NOTE: If more space is needed to furnish the above information, continue on a blank sheet labeled "APPENDIX D: REQUEST FOR RELIEF").

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VIII. PLAINTIFF'S DECLARATION

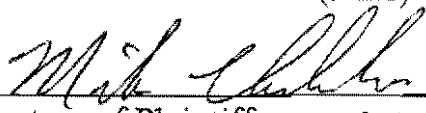
- A. I understand I must keep the Court informed of my current mailing address and my failure to do so may result in dismissal of this Complaint without notice to me.
- B. I understand the Federal Rules of Civil Procedure prohibit litigants filing civil complaints from using certain information in documents submitted to the Court. In order to comply with these rules, I understand that:
- social security numbers, taxpayer identification numbers, and financial account numbers must include only the last four digits (e.g. xxx-xx-5271, xx-xxx5271, xxxxxxxx3567);
 - birth dates must include the year of birth only (e.g. xx/xx/2001); and
 - names of persons under the age of 18 must include initials only (e.g. L.K.).

If my documents (including exhibits) contain any of the above listed information, I understand it is my responsibility to black that information out before sending those documents to the Court.

I understand I am responsible for protecting the privacy of this information.

- C. I understand the submission of a false statement or answer to any question in this complaint may subject me to penalties for perjury. I declare under penalty of perjury that I am the Plaintiff in this action, I have read this complaint, and the information I set forth herein is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.
- D. (Prisoners Only) This Complaint was deposited in the prison system for legal mail, postage prepaid or paid by the prison, on

Executed at Crossroads Correctional on October 10, 20 14.
(Location) (Date)


Signature of Plaintiff *pro-se*

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